

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

In Re:

LLS AMERICA, LLC,

Debtor,

BRUCE P. KRIEGMAN, solely in his capacity as court-appointed Chapter 11 Trustee for LLS America, LLC,

Plaintiff,

v.

558778 BC LTD., et al.,

Defendants.

NO: CV-11-364-RMP

Bankr. Case No. 09-06194-PCW11  
(Consolidated Case)

Adv. Proc. No. 11-80295-PCW11

DEFAULT JUDGMENT AGAINST DEFENDANTS ABE PETERS AND ANNE PETERS

JUDGMENT SUMMARY

18 Judgment Creditor: Bruce P. Kriegman, solely in his capacity as the  
19 Liquidating Trustee under the Confirmed Plan of  
the Debtor

1 Attorneys for  
2 Judgment Creditor: Witherspoon Kelley  
3  
4 Judgment Debtor: Abe Peters and Anne Peters  
5  
6 Principal Amount of  
7 Judgment: \$17,200.00 CAD  
8 \$ 250.00 US  
9  
10 Interest on Judgment: Weekly Average of One-Year Constant Maturity  
11 (nominal) treasury yield as published by the  
12 Federal Reserve System (28 U.S.C. § 1961)

13 This Court, have reviewed the Order of Default previously entered in  
14 Bankruptcy Court against Defendants Abe Peters and Anne Peters, Adv. Doc. No.  
15 479, and having adopted the Bankruptcy Court's Report and Recommendation,  
16 ECF No. 142, and being fully advised in the premises, **IT IS HEREBY**  
17 **ORDERED, ADJUDGED, AND DECREED** that the Plaintiff, Bruce P.  
18 Kriegman, solely in his capacity as court-appointed Chapter 11 Trustee for LLS  
19 America, LLC, shall have judgment against Defendants Abe Peters and Anne  
20 Peters, individually and jointly and severally, as follows:

- 15 1. Monetary Judgment in the amount of CAD \$17,200.00, pursuant to 11  
16 U.S.C. § 550 and RCW 19.40.071;
- 17 2. Transfers in the amount of CAD \$17,200.00 made to Defendants within  
18 four years prior to the Petition Filing Date are hereby avoided and Plaintiff may  
19 take all necessary action to preserve the same, pursuant to 11 U.S.C. §§ 544, 550,  
20 551, and 548(a) and (b) and RCW 29.40.041(1) and (2) and RCW 19.40.071;

3. All said transfers to Defendants Abe Peters and Anne Peters are hereby set aside and Plaintiff shall be entitled to recover the same, or the value thereof, from Defendants Abe Peters and Anne Peters for the benefit of the estate of LLS America, pursuant to 11 U.S.C. §§ 544, 550, and 551.

4. A constructive trust is hereby established over the proceeds of all transfers in favor of the Trustee for the benefit of the estate of LLS America; and

5. Plaintiff is hereby awarded costs (i.e. filing fee) in the amount of \$250.00 USD, for a total judgment of CAD \$17,200.00, plus \$250.00 USD, which shall bear interest equal to the weekly average of one-year constant maturity (nominal) treasury yield as published by the Federal Reserve System.

The District Court Clerk shall enter this Judgment and provide copies to counsel, Defendants, and Judge Patricia C. Williams, and shall terminate Abe Peters and Anne Peters as defendants in this case.

**DATED** this 17th day of September 2013.

s/ Rosanna Malouf Peterson  
ROSANNA MALOUF PETERSON  
Chief United States District Court Judge